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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,007	08/21/2003	Hiroshi Ochiai	36068	6221

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EXAMINER

VAN, QUANG T

ART UNIT PAPER NUMBER

3742

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,007

Applicant(s)

OCHIAI ET AL.

Examiner

Quang T Van

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/21/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The abstract of the disclosure is objected to because the legal phraseology such as "comprising" often used in patent claims should be avoided in the abstract.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 2004/0070345). Yang discloses a noise filter of a high frequency generator comprising a choke coil (204) connected between cathode terminal (256a) and a capacitor (258), and cooperating with said capacitor (258) to form an LC filter circuit, wherein said choke coil (204) includes first (204a) and second (204c) core type inductors having respectively bar-like high-frequency absorbing members (202a, 202b) located within windings thereof, and air-core inductor (204b) not having a high-frequency absorbing member and connected to said cathode terminal (256a); said first

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core type inductor(204a), said second core type inductor (204c) and said air-core inductor (204b) are connected in series. However, Yang does not disclose said first core type inductor and said second core type inductor are arranged via a gap having a width within 1mm to 6mm. It would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange a first core type inductor and second core type inductor via a gap having a width within 1mm to 6mm. Doing so would provide a noise of a frequency band of 400MHz to 900MHz is attenuated.

5. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 2004/0070345) in view of Tashiro (US 3,922,612). Yang discloses substantially all features of the claimed invention except frequency characteristics of said high-frequency absorbing members of said first and second core type inductors are different from each other. Tashiro discloses frequency characteristics of said high-frequency absorbing members of said first and second core type inductors are different from each other (col. 2, lines 48-58). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Yang frequency characteristics of said high-frequency absorbing members of said first and second core type inductors are different from each other as taught by Tashiro in order to improve the attenuation of noise of a frequency band of 500MHz to 700MHz.

6. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest said insulating material is made of a silicon rubber based material as recited in claim 6; and said high-frequency absorbing members of said first and second core type inductors are fixed within said windings of the first and second core type inductors by fixing means made of a silicone rubber based adhesive as recited in claim 7.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Ochiai et al (US 5,432,405) discloses a magnetron device having an antenna shaped electrode. Tsuzurabara et al (US 4,419,606) discloses a magnetron with a filter circuit. Hisada et al (US 3,846,667) discloses a magnetron having external choke structure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV

July 8, 2004



Quang T Van
Primary Examiner
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